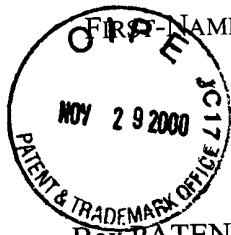


Express Mail Label No.: EK674916158US  
Date of Deposit: November 28, 2000

Attorney Docket No. 15966-539 CIP  
(CURA-39 CIP)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



FIRST-NAMED INVENTOR: Jonathan M. Rothberg, *et al.*

FOR: METHOD FOR IDENTIFYING A BIOMOLECULE

Boston, Massachusetts

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor of the subject matter (an original, first and joint inventor) which is claimed and for which a utility patent is sought on the invention entitled:

**Method for Identifying a Biomolecule**

was filed on July 11, 2000, as a U.S. non-provisional application U.S.S.N. 09/614,505 bearing attorney docket number 15966-539CIP (Cura-39CIP).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.



I hereby claim the benefit under Title 35, United States Code, § 119(e) or §120 of any United States applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

**FIRST-NAMED INVENTOR:**

**Rothberg**

**U.S. Parent Application  
Serial Number**

09/417,386

60/115,109

**Parent Filing Date**

October 13, 1999

January 8, 1999

**Parent Patent Number**

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

<b>Attorney or Agent</b>	<b>Registration No.</b>	<b>Attorney or Agent</b>	<b>Registration No.</b>
Kevin Ainsworth	39,586	Kristin E. Konzak	44,848
Ingrid Beattie	42,306	Cynthia Kozakiewicz	42,764
Naomi Biswas	38,384	Barry Marenberg	40,715
David F. Crosby	36,400	William Marino	44,219
James G. Cullem	43,569	A. Jason Mirabito	28,161
Brett N. Dorny	35,860	Michel Morency	Limited Recognition
Marianne Downing	42,870	Bradley Olson	40,750
Ivor R. Elrifi	39,529	Carol H. Peters	45,010
Heidi A. Erlacher	45,409	Michael Renaud	44,299
Christina Gadiano	37,628	Brian Rosenbloom	41,276
John A. Harre	37,345	Thomas M. Sullivan	39,392
Shane Hunter	41,858	Howard Susser	33,556
David E. Johnson	41,874	Shelby J. Walker	45,192
Kris Kalidindi	41,461	Martin M. Zoltick	35,745
Christina Karnakis	45,899		
Robert Klauzinski	42,742		

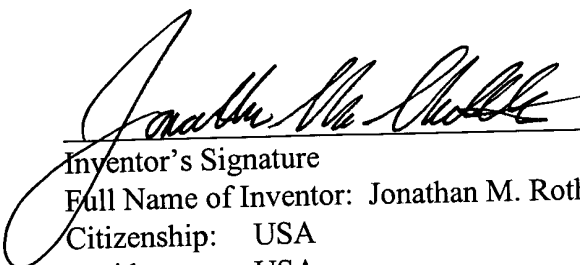
all of MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO PC, One Financial Center, Boston, Massachusetts 02111, as Applicant's attorneys with full power of substitution and revocation to take any and all action necessary with regard to the above-identified patent.

Address all telephone calls to Ivor R. Elrifi at telephone number (617) 348-1747. Address all correspondence to:

Ivor R. Elrifi  
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.  
One Financial Center  
Boston, Massachusetts 02111

FIRST-NAMED INVENTOR: Rothberg

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or patent issued thereon.

  
Inventor's Signature

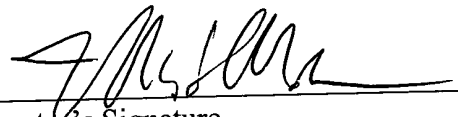
Full Name of Inventor: Jonathan M. Rothberg, Ph.D.

Citizenship: USA

Residence: USA

Post Office Address: 1701 Moose Hill Road, Guilford, CT 06437

11/17/00  
Date

  
Inventor's Signature

Full Name of Inventor: Michael McKenna, Ph.D.

Citizenship: USA

Residence: USA

Post Office Address: 73 East Pearl Street, New Haven, CT 06513

11/15/00  
Date

\_\_\_\_\_  
Inventor's Signature

Full Name of Inventor: Paul Predki, Ph.D.

Citizenship: USA

Residence: USA

Post Office Address: 33 Hampton Park, Branford, CT 06405

\_\_\_\_\_  
Date

\_\_\_\_\_  
Inventor's Signature

Full Name of Inventor: Andreas Windemuth, Ph.D.

Citizenship: Germany

Residence: USA

Post Office Address: 1131 Racebrook Road, Woodbridge, CT 06525

\_\_\_\_\_  
Date

FIRST-NAMED INVENTOR: Rothberg



Inventor's Signature

Full Name of Inventor: Richard A. Shimkets, Ph.D.

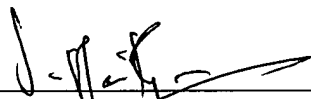
Citizenship: USA

Residence: USA

Post Office Address: 191 Leete Street, West Haven, CT 06516

11/3/00

Date



Inventor's Signature

Full Name of Inventor: Maithreyan Srinivasan

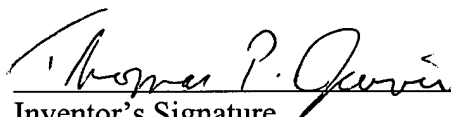
Citizenship: India

Residence: USA

Post Office Address: 275 Circular Avenue, Unit 2C, Hamden, CT 06516

~~NS 11/17/00~~ 10/30/2000

Date



Inventor's Signature

Full Name of Inventor: Thomas Jarvie, Ph.D.

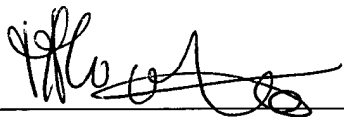
Citizenship: USA

Residence: USA

Post Office Address: 13 Old Smuggler Road, Branford, CT 06405

11/6/00

Date



Inventor's Signature

Full Name of Inventor: Pascale Pochart

Citizenship: France

Residence: USA

Post Office Address: c/o 555 Long Wharf Drive, New Haven, CT 06511

3 Nov 00

Date

TRADOCS:1350240.1(SX%\_01!.DOC)

Express Mail Label No.: 74916158US

Date of Deposit: November 28, 2000

Attorney Docket No. 15966-539 CIP  
(CURA-39 CIP)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



FIRST-NAMED INVENTOR: Jonathan M. Rothberg, *et al.*

FOR: METHOD FOR IDENTIFYING A BIOMOLECULE

Boston, Massachusetts

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor of the subject matter (an original, first and joint inventor) which is claimed and for which a utility patent is sought on the invention entitled:

**Method for Identifying a Biomolecule**

was filed on July 11, 2000, as a U.S. non-provisional application U.S.S.N. 09/614,505 bearing attorney docket number 15966-539CIP (Cura-39CIP).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

- ☒ I hereby claim the benefit under Title 35, United States Code, § 119(e) or §120 of any United States applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

**FIRST-NAMED INVENTOR:** Rothberg

**U.S. Parent Application  
Serial Number**

09/417,386

60/115,109

**Parent Filing Date**

October 13, 1999

January 8, 1999

**Parent Patent Number**

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

<b>Attorney or Agent</b>	<b>Registration No.</b>	<b>Attorney or Agent</b>	<b>Registration No.</b>
Kevin Ainsworth	39,586	Kristin E. Konzak	44,848
Ingrid Beattie	42,306	Cynthia Kozakiewicz	42,764
Naomi Biswas	38,384	Barry Marenberg	40,715
David F. Crosby	36,400	William Marino	44,219
James G. Cullem	43,569	A. Jason Mirabito	28,161
Brett N. Dorny	35,860	Michel Morency	Limited Recognition
Marianne Downing	42,870	Bradley Olson	40,750
Ivor R. Elrifi	39,529	Carol H. Peters	45,010
Heidi A. Erlacher	45,409	Michael Renaud	44,299
Christina Gadiano	37,628	Brian Rosenbloom	41,276
John A. Harre	37,345	Thomas M. Sullivan	39,392
Shane Hunter	41,858	Howard Susser	33,556
David E. Johnson	41,874	Shelby J. Walker	45,192
Kris Kalidindi	41,461	Martin M. Zoltick	35,745
Christina Karnakis	45,899		
Robert Klauzinski	42,742		

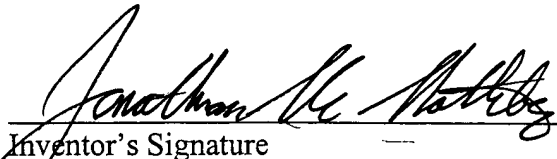
all of MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO PC, One Financial Center, Boston, Massachusetts 02111, as Applicant's attorneys with full power of substitution and revocation to take any and all action necessary with regard to the above-identified patent.

Address all telephone calls to Ivor R. Elrifi at telephone number (617) 348-1747. Address all correspondence to:

Ivor R. Elrifi  
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.  
One Financial Center  
Boston, Massachusetts 02111

FIRST-NAMED INVENTOR: Rothberg

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or patent issued thereon.

  
\_\_\_\_\_  
Inventor's Signature

11/17/00  
\_\_\_\_\_  
Date

Full Name of Inventor: Jonathan M. Rothberg, Ph.D.

Citizenship: USA

Residence: USA

Post Office Address: 1701 Moose Hill Road, Guilford, CT 06437

\_\_\_\_\_  
Inventor's Signature

\_\_\_\_\_  
Date

Full Name of Inventor: Michael McKenna, Ph.D.

Citizenship: USA

Residence: USA

Post Office Address: 73 East Pearl Street, New Haven, CT 06513

\_\_\_\_\_  
Inventor's Signature

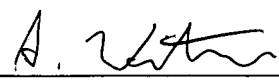
\_\_\_\_\_  
Date

Full Name of Inventor: Paul Predki, Ph.D.

Citizenship: USA

Residence: USA

Post Office Address: 33 Hampton Park, Branford, CT 06405

  
\_\_\_\_\_  
Inventor's Signature

11/07/00  
\_\_\_\_\_  
Date

Full Name of Inventor: Andreas Windemuth, Ph.D.

Citizenship: Germany

Residence: USA

Post Office Address: 1131 Racebrook Road, Woodbridge, CT 06525

FIRST-NAMED INVENTOR: Rothberg

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or patent issued thereon.

\_\_\_\_\_  
Inventor's Signature

\_\_\_\_\_  
Date

Full Name of Inventor: Jonathan M. Rothberg, Ph.D.

Citizenship: USA

Residence: USA

Post Office Address: 1701 Moose Hill Road, Guilford, CT 06437

\_\_\_\_\_  
Inventor's Signature

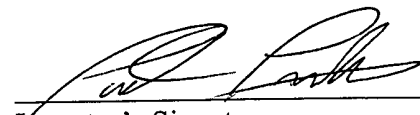
\_\_\_\_\_  
Date

Full Name of Inventor: Michael McKenna, Ph.D.

Citizenship: USA

Residence: USA

Post Office Address: 73 East Pearl Street, New Haven, CT 06513

  
\_\_\_\_\_  
Inventor's Signature

\_\_\_\_\_  
11/17/00  
Date

Full Name of Inventor: Paul Predki, Ph.D.

Citizenship: ~~USA~~ Canada

Residence: USA

Post Office Address: 33 Hampton Park, Branford, CT 06405

\_\_\_\_\_  
Inventor's Signature

\_\_\_\_\_  
Date

Full Name of Inventor: Andreas Windemuth, Ph.D.

Citizenship: Germany

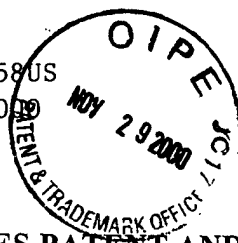
Residence: USA

Post Office Address: 1131 Racebrook Road, Woodbridge, CT 06525



Express Mail Label No.: EK674916158US

Date of Deposit: November 28, 2000



Attorney Docket No. 15966-539 CIP  
(CURA-39 CIP)

#4

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

FIRST-NAMED INVENTOR: Jonathan M. Rothberg, *et al.*

FOR: METHOD FOR IDENTIFYING A BIOMOLECULE

Boston, Massachusetts

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**COMBINED DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor of the subject matter (an original, first and joint inventor) which is claimed and for which a utility patent is sought on the invention entitled:

**Method for Identifying a Biomolecule**

was filed on July 11, 2000, as a U.S. non-provisional application U.S.S.N. 09/614,505 bearing attorney docket number 15966-539CIP (Cura-39CIP).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

- ☒ I hereby claim the benefit under Title 35, United States Code, § 119(e) or §120 of any United States applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

FIRST-NAMED INVENTOR:

Rothberg

**U.S. Parent Application  
Serial Number**

09/417,386

60/115,109

**Parent Filing Date**

October 13, 1999

January 8, 1999

**Parent Patent Number**

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

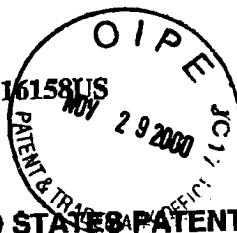
<b>Attorney or Agent</b>	<b>Registration No.</b>	<b>Attorney or Agent</b>	<b>Registration No.</b>
Kevin Ainsworth	39,586	Kristin E. Konzak	44,848
Ingrid Beattie	42,306	Cynthia Kozakiewicz	42,764
Naomi Biswas	38,384	Barry Marenberg	40,715
David F. Crosby	36,400	William Marino	44,219
James G. Cullem	43,569	A. Jason Mirabito	28,161
Brett N. Dorny	35,860	Michel Morency	Limited Recognition
Marianne Downing	42,870	Bradley Olson	40,750
Ivor R. Elrifi	39,529	Carol H. Peters	45,010
Heidi A. Erlacher	45,409	Michael Renaud	44,299
Christina Gadiano	37,628	Brian Rosenbloom	41,276
John A. Harre	37,345	Thomas M. Sullivan	39,392
Shane Hunter	41,858	Howard Susser	33,556
David E. Johnson	41,874	Shelby J. Walker	45,192
Kris Kalidindi	41,461	Martin M. Zoltick	35,745
Christina Karnakis	45,899		
Robert Klauzinski	42,742		

all of MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO PC, One Financial Center, Boston, Massachusetts 02111, as Applicant's attorneys with full power of substitution and revocation to take any and all action necessary with regard to the above-identified patent.

Address all telephone calls to Ivor R. Elrifi at telephone number (617) 348-1747. Address all correspondence to:

Ivor R. Elrifi  
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.  
One Financial Center  
Boston, Massachusetts 02111

Express Mail Label No.: EK674916158US  
Date of Deposit: November 28, 2000



Attorney Docket No. 15966-539 CIP (Cura-39 CIP)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANT(S):** Rothberg, *et al.*  
**ASSIGNEE:** CuraGen Corporation  
**SERIAL NO.:** 09/614,505 **EXAMINER:** Not Yet Assigned  
**FILING DATE:** July 11, 2000 **ART UNIT:** 1655  
**FOR:** METHOD FOR IDENTIFYING A BIOMOLECULE

**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c) – SMALL BUSINESS CONCERN)**

I hereby state that I am an official of the small business concern empowered to act on behalf of the concern identified below:

**CURAGEN CORPORATION**  
555 Long Wharf Drive  
New Haven, CT 06511

I hereby state that the above identified small business concern qualifies as a small business concern, as defined in 13 C.F.R. § 121, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to, and remain with, the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above;  
☒ the application identified above; or  
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

Applicant: Rothberg  
U.S.S.N. 09/614,505

Each person, concern, or organization having any rights in the invention is listed below:

☒  
☐

no such person, concern, or organization exists.

each such person, concern, or organization is listed below: *to*

*to Note: Separate Statements Claiming Small Entity Status are required from each named person, concern, or organization having rights to the invention. 37 C.F.R. § 1.27.*

Full Name:

Address:

☐ Individual ☐ Small Business Concern ☐ Non-profit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. 37 C.F.R. § 1.28(b).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of person signing:

George A. Xixis, Esq.

Title in organization of person signing:

Intellectual Property Counsel

Address of person signing:

CURAGEN CORPORATION  
322 East Main Street  
Branford, CT 06405

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

11/28/2000

TRADOCS:1391009.1(TTB5011.DOC)